

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ANNETTE WALKER-GOGGINS,

Plaintiff(s),

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant(s).

Case No. 2:15-CV-1839 JCM (CWH)

ORDER

Presently before the court is plaintiff's motion for reconsideration of this court's order adopting the magistrate judge's recommendation to dismiss the complaint with prejudice. (ECF No. 16). Also before the court is plaintiff's motion for injunctive relief. (ECF No. 17) Defendant has not filed a response and the deadline to do so has passed.

Magistrate Judge Hoffman recommended that plaintiff be allowed to proceed *in forma pauperis* but that defendant's complaint be dismissed with prejudice. Magistrate Judge Hoffman found that plaintiff's complaint contained "incoherent, fanciful, and delusional claims and descriptions [that] do not state a claim upon which relief can be granted." (ECF No. 8).

Plaintiff filed an "objection" but did not object to any of the magistrate judge's findings. Instead, plaintiff simply listed "appealed" next to the motions that Magistrate Judge Hoffman recommended denying after concluding that plaintiff's complaint was frivolous. (ECF. No. 11). This court agreed with the magistrate judge's findings and dismissed plaintiff's complaint with prejudice. (ECF No. 13).

Plaintiff has now filed a motion to reconsider (ECF No. 16) and motion for injunctive relief. (ECF No. 17).

1 “Reconsideration is appropriate if the district court (1) is presented with newly discovered  
 2 evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is  
 3 an intervening change in controlling law.” *Morgan Stanley & Co. v. Shriners Hosp. For Children*,  
 4 No. 2:09-cv-398, 2012 WL 642523, \*2 (D. Nev. Feb. 28, 2012) (quoting *School Dist. No. 1J v.*  
 5 *AcandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir.1993); *see generally* FED. R. CIV. P. 60(b)(1) and (6)  
 6 (stating that a court may relieve a party from an order for “mistake, inadvertence, surprise, or  
 7 excusable neglect” or “any other reason that justifies relief.”).

8 In her motions for reconsideration and injunctive relief, plaintiff merely recites statements  
 9 that she has included in previous motions. (ECF Nos. 16, 17). Plaintiff claims she “was instructed  
 10 to reproduce \*5<sup>th</sup> (fifth) time, the “Divorce Set Aside” of the holy matrimony of the victim Terry  
 11 V Annette Walker, Superior Court The County of Muscogee, State of George Case No. SU 98DM  
 12 2341-8.” (ECF No. 16). In 2009, she claims she submitted an SSI application but received an  
 13 “unfavorable decision” because “her husband’s deemed income was too high for her to qualify....”  
 14 (*Id.*). Consequently, plaintiff claims “The defendants Social Security Administration, Ms.  
 15 Anderson, & State of Nevada \* but not limited to have Obstructed Justice that has caused  
 16 irreversible pain and suffering.” (*Id.*).

17 Plaintiff’s motion provides this court with no newly discovered evidence nor has there been  
 18 any intervening change in controlling law. *Morgan Stanley*, 2012 WL 642523 at \*2. Having  
 19 weighed plaintiff’s arguments on several occasions, there is no evidence that the order dismissing  
 20 the complaint was a “clear error or . . . manifestly unjust.” *Morgan Stanley*, 2012 WL 642523 at  
 21 \*2. Furthermore, as plaintiff’s complaint has been dismissed with prejudice and judgment has been  
 22 entered, her request for injunctive relief is in inappropriate. Therefore, plaintiff’s requests for  
 23 reconsideration and injunctive relief are denied.

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IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion to reconsider (ECF No. 16) and motion for injunctive relief (ECF No. 17) be, and the same hereby are, DENIED.

DATED July 18, 2016.

James C. Mahan  
UNITED STATES DISTRICT JUDGE